

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

<b>WILLIE JAMES WHITE,</b>	]	
	]	
<b>Plaintiff,</b>	]	
	]	
<b>-vs-</b>	]	<b>CA NO:3:09-3256</b>
	]	
	]	<b><u>ORDER</u></b>
<b>AMICK FARM, AND WAYNE</b>	]	
<b>BUZHART,</b>	]	
<b>Defendants.</b>	]	
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The plaintiff, Willie James White, proceeding *pro se*, has filed the instant action alleging wrongful termination. The defendants deny the plaintiff's allegations and have filed a motion to dismiss for failure to participate in discovery pursuant to Rules 37(b)(2)(A)(v) and 41(b). The matter is now before the Court upon the Report and Recommendation of the United States Magistrate Judge to whom it was referred pursuant to 28 U.S.C. § 636 and Local Rule 73.02(B)(2)(e) for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. See Mathews v. Weber, 423 U.S. 261 , 270 (1976). The Court is charged with making a *de novo* determination of those portions of the Recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation fo the Magistrate Judge or recommit the

matter with instructions. 28 U.S.C. §636(b)(1).

The Magistrate Judge recommends the Court dismiss this action with prejudice for lack of prosecution and failure to comply with a Court order. See Fed.R.Civ. P. 41(b); Ballard v. Carlson, 882 F.2d 93, 94 (4<sup>th</sup> Cir. 1989). The plaintiff has not filed objections to the Magistrate Judge's Report and Recommendation. In the absence of such objections, the Court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F. 2d 198, 199 (4<sup>th</sup> Cir. 1983). Moreover, a failure to object waives appellate review. Wright v. Collins, 766 F.2d 841, 845-46 (4<sup>th</sup> Cir. 1985).

The Court has made a thorough *de novo* review of the record before it. Upon careful consideration, the Report and Recommendation of the Magistrate Judge is approved. For the reasons set forth in the Report and Recommendation of the Magistrate Judge, the defendants' motion to DISMISS is GRANTED.

IT IS SO ORDERED.

s/MATTHEW J. PERRY, JR.  
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
October 6, 2010